



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ignacio Jose Ezquerro SAENZ, et al
Serial No.: 09/831,253 Group No.: 1711
Filed: June 27, 2001 Examiner.: Yunsoo Kim
For: TGF BETA 1 INHIBITOR PEPTIDES

Attorney Docket No.: U 013446-9

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PROPOSAL FOR INTERVIEW

The courtesy of Examiner Yunsoo Kim in arranging for a telephone interview with the undersigned for October 18, 2005 at 10:00 a.m. is acknowledged with appreciation.

Applicants propose the following claim for discussion in the interview:

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.
O. Box 1450, Alexandria, VA 22313-1450.
37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

- ☐ with sufficient postage as first class mail.

- ☐ as "Express Mail Post Office to Address"
Mailing Label No. _____ (mandatory)

TRANSMISSION

- ☒ transmitted by facsimile to the Patent and Trademark Office. to **(571) 273-3176**

Date: October 14, 2005

Signature

CLIFFORD J. MASS

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

Claim 35 (proposed). An isolated peptide that inhibits TGF-beta 1 activity, wherein the isolated peptide is selected from the group consisting of: (a) a peptide comprising a fragment of SEQ ID NO: 3, said fragment consisting of at least 6 contiguous amino acids of SEQ ID NO: 3; (b) a peptide comprising an amino acid sequence selected from the group consisting of SEQ ID NO: 3, SEQ ID NO: 4, SEQ ID NO: 5, SEQ ID NO: 6, SEQ ID NO: 7, SEQ ID NO: 8, SEQ ID NO: 9, and SEQ ID NO: 10; and (c) a peptide consisting of SEQ ID NO: 1 or SEQ ID NO: 2.

REMARKS

Applicants propose to discuss in the interview the support in the specification under the written description provisions of 35 USC 112, first paragraph for the recitation in the proposed claim of a peptide that inhibits TGF-beta activity comprising a fragment of SEQ ID NO: 3, which fragment consists of at least 6 contiguous amino acids of SEQ ID NO: 3. Applicants propose to discuss this recitation with respect to the description in the specification which follows.

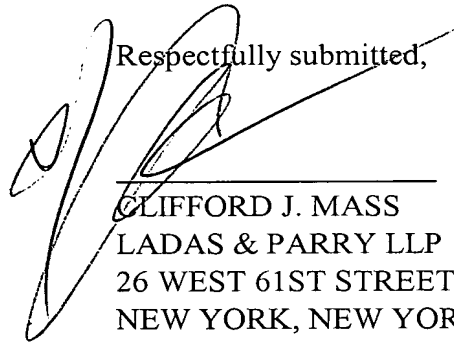
In the specification (page 32, Table 5) there are examples of peptides (P139-P143) derived from P54 (SEQ ID NO: 3), which have at least 6 contiguous amino acids in common (overlapping) with P54. This is shown by the following alignment:

P54 (731-742)	Thr Ser Leu Asp Ala Thr Met Ile Trp Thr Met Met (SEQ ID NO: 3)
P139	Thr Ser Leu Asp Ala Thr Met Ile Trp <u>Asp Asp Asp</u>
P140	<u>Asp Asp</u> Asp Ala Thr Met Ile Trp Thr Met Met
P141	Asp Ala Thr Met Ile Trp <u>Asp</u>
P142	Thr Ser Leu Met Ile Trp Thr Met Met (SEQ ID NO: 5)
P143	Thr Ser Leu Asp Ala Thr Thr Met Met

The amino acids underlined are amino acid substitutions in the P54 natural fragment. Blank positions show amino acid gaps or deletions. But in all the peptides above mentioned, at least 6 consecutive amino acids overlap with the P54 natural sequence.

Applicants also propose to discuss the proposed claim with respect to the prior art rejection presently of record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'CJ Mass', is written over a horizontal line.

CLIFFORD J. MASS
LADAS & PARRY LLP
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG. NO.30,086(212)708-1890